

EDUCATION DEPARTMENT[281]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby proposes to amend Chapter 15, “Use of Online Learning and Telecommunications for Instruction by Schools,” Iowa Administrative Code.

Chapter 15 was promulgated to implement 2012 Iowa Acts, chapter 1119, sections 13 through 17, and became effective January 16, 2013. 2012 Iowa Acts, chapter 1119, section 15, amended Iowa Code section 256.7 by adding a new subsection in which the State Board of Education was required to adopt rules “prohibiting the open enrollment of students whose educational instruction and course content are delivered primarily over the internet.” An exception to that prohibition is contained in Iowa Code section 256.7, subsection 32, paragraph “c,” which applies exclusively to the CAM Community School District and the Clayton Ridge Community School District. Pursuant to 2015 Iowa Acts, Senate File 510, section 99, Iowa Code section 256.7, subsection 32, paragraph “c,” is amended to provide exceptions to prior enrollment limitations and to provide additional reporting requirements for the school districts. This amendment implements those changes.

An agencywide waiver provision is provided in 281—Chapter 4.

Interested individuals may make written comments on the proposed amendment on or before September 22, 2015, at 4:30 p.m. Comments on the proposed amendment should be directed to Phil Wise, Iowa Department of Education, Second Floor, Grimes State Office Building, Des Moines, Iowa 50319-0146; telephone (515)281-4835; e-mail phil.wise@iowa.gov; or fax (515)242-5988.

A public hearing will be held on September 22, 2015, from 9 to 10 a.m. in the State Board Room, Second Floor, Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa, at which time persons may present their views either orally or in writing.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should advise the Department of Education of their specific needs by calling (515)281-5295.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code section 256.7(32)“c” as amended by 2015 Iowa Acts, Senate File 510, section 99.

The following amendment is proposed.

Rescind rule 281—15.8(256) and adopt the following **new** rule in lieu thereof:

281—15.8(256) Prohibition regarding open enrollment. Open enrollment of students to a school district that offers online coursework is limited to open enrollment to the receiving school districts of Cumberland-Anita-Massena (CAM) and Clayton Ridge, pursuant to Iowa Code section 256.7(32)“c” as amended by 2015 Iowa Acts, Senate File 510, section 99. In implementing any numerical limitation required by Iowa Code section 256.7(32)“c” as amended by 2015 Iowa Acts, Senate File 510, section 99, priority shall be given to students who are documented victims of bullying and harassment, as defined in Iowa Code section 280.28.